

DOCKET NO: 274391US26X PCT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :  
TOYOHISA YAMADA, ET AL. : EXAMINER: BARRERA, R.  
SERIAL NO: 10/540,882 :  
FILED: MARCH 9, 2006 : GROUP ART UNIT: 2832  
FOR: LINEAR ACTUATOR :

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Election of Species Requirement (“Requirement”) dated February 23, 2009, Applicants elect, with traverse, Species I, indicated in the Requirement as readable on Figures 1-14, listed in the Requirement as readable on Claims 1-11, for further prosecution in the present application. Applicants list Claims 1-11 as readable thereon.

Applicants respectfully traverse the Requirement for the following reason.

MPEP § 803 states:

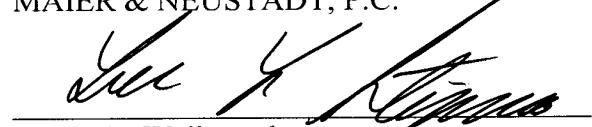
If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

The claims of the present invention would appear to be part of an overlapping search area. Accordingly, Applicants respectfully traverse the outstanding Requirement on the grounds that a search and examination of the entire application would not place a serious burden on the Examiner. Therefore, an action on all of Claims 1-12 is earnestly solicited.

The present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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